

REMARKS

Claims 1, 5-12, 15-17 and 20-26 remain pending in the application.

Claims 1, 5, 6, 7, 20 and 23-26 over Watters in view of Harris and Fisher

In the Office Action, claims 1, 5, 6, 7, 20 and 23-26 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Pat. No. 5,982,324 to Watters et al. ("Watters") in view of U.S. Pat. No. 6,580,372 ("Harris"), and further in view of U.S. Pat. No. 6,295,455 to Fisher et al. ("Fisher"). The Applicant respectfully traverses the rejection.

Arguably, it is respectfully submitted that the need to combine as many as **THREE** (3) separate references to allegedly obviate certain claims of the present invention is an indication of their NON-obviousness.

Claims 1, 5, 6, 7, 20 and 23-26 recite a method and apparatus **combing a local error difference with a raw GPS location signal determined by a wireless device to provide a location accurate to within a few meters, and to output during a telephone call a final GPS location.** The **local** error difference is determined external to the wireless device by a **fixed** GPS receiver.

Watters discloses a conventional GPS system that utilizes a cellular network to obtain necessary differential GPS error correction data for each received satellite. However, Watters differential GPS error correction data is used in the determination of the raw GPS location. It is used for each satellite. For instance, look to Watters, in the paragraph bridging cols. 3 to 4, "The DGPS receiver selects the appropriate correction for each satellite that it is tracking, and subtracts the correction from the pseudorange that it has measured." Watters teaches the conventional GPS system that is accurate at best "in the order of ten meters", i.e., 30+ FEET! (Watters, col. 3, line 44) (The present invention provides improvements over the conventional 30 foot accuracy to within just a **few** meters.

The Examiner has withdrawn previously indicated allowable claims 1, 5-12, 15-17 and 20-22 based on the newly discovered Harris reference to disclose automatic electronic device detection with use of **raw GPS information** (Office Action, page 3). However, Harris determines the location of a cellular telephone to **prevent a telephone call** that potentially can cause an explosion at a

gas station (col. 1, lines 16-21). Thus, Harris teaches away from outputting any location information obtained from a GPS system during a telephone call, much less outputting error corrected GPS location information during a telephone call based on a raw GPS location signal, as recited by claims 1, 5, 6, 7, 20 and 20-26.

Fisher is relied on by the Examiner to allegedly disclose methods and arrangements for locating a mobile telecommunications station and transmitting location information during a telephone call (Office Action, page 3). Although Fisher discloses transmitting location information during a telephone call, Fisher fails to disclose or suggest transmitting any type of error corrected GPS location signal during a telephone call, as recited by claims 1, 5, 6, 7, 20 and 20-26.

Moreover, if it were obvious to modify Watters in view of Harris and Fisher, which it is not, at best the result would be a cellular telephone that transmits a raw GPS location signal during a telephone call, NOT a method and apparatus combing a local error difference with a raw GPS location signal determined by a wireless device to provide a location accurate to within a few meters, and to output during a telephone call a final GPS location, as recited by claims 1, 5, 6, 7, 20 and 20-26.

Accordingly, for at least all the above reasons, claims 1, 5, 6, 7, 20 and 20-26 are patentable over the prior art of record. It is therefore respectfully requested that the various rejections be withdrawn.

Claims 8-10, 15, 21 and 22 over Watters in view of Fisher and Schipper

In the Office Action, claims 8-10, 15, 21 and 22 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Watters in view of Fisher, and further in view of U.S. Pat. No. 5,986,603 to Schipper ("Schipper"). The Applicant respectfully traverses the rejection.

Arguably, it is respectfully submitted that the need to combine as many as THREE (3) separate references to allegedly obviate certain claims of the present invention is an indication of their NON-obviousness.

Claims 8, 9, 21 and 22 are dependent on claims 1 and 20 respectively and are allowable for at least the same reasons as claims 1 and 20

Claims 8-10, 15, 21 and 22 recite a method and apparatus combing a local error difference with a raw GPS location signal determined by a wireless device to provide a location accurate to within a few meters, and to output during a telephone call a final GPS location. The local error difference is determined external to the wireless device by a fixed GPS receiver.

As discussed above, Watters in view of Fisher fails to disclose or suggest a method and apparatus utilizing a raw GPS location determined by a wireless device to provide a location accurate to within a few meters, and to output during a telephone call a final GPS location, as recited by claims 8-10, 15, 21 and 22.

The Office Action relies on Schipper to allegedly make up for the deficiencies in Watters in view of Fisher to arrive at the claimed invention. The Applicant respectfully disagrees.

The Office Action relies on Schipper's background of the invention to disclose a longitude difference and a latitude difference (Office Action, page 8). Although Schipper is directed toward error correcting navigation signals received from a plurality of sources, such as GPS, GLOSNASS, Loran, etc. through differential positioning based on a receiver having a known location (see Schipper, col. 1, lines 13-45; col. 20, lines 9-18), Schipper fails to disclose or suggest application of error corrected navigation signal to a telephone system, much less for output during a telephone call, as recited by claims 8-10, 15, 21 and 22.

Neither Watters, Harris nor Schipper, either alone or in combination, disclose, teach or suggest a method and apparatus outputting an error corrected GPS location signal during a telephone call, much less combing a local error difference with a raw GPS location signal determined by a wireless device to provide a location accurate to within a few meters, and to output during a telephone call a final GPS location, as recited by claims 8-10, 15, 21 and 22.

Accordingly, for at least all the above reasons, claims 8-10, 15, 21 and 22 are patentable over the prior art of record. It is therefore respectfully requested that the various rejections be withdrawn.

Claims 11, 12, 16, 17 and 21 over Watters in view of Fisher, Schipper and Green

In the Office Action, claims 11, 12, 16, 17 and 21 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Watters in view of Fisher, Schipper, and further in view of U.S. Pat. No. 5,926,133 to Green Jr. ("Green"). The Applicant respectfully traverses the rejection.

It is respectfully submitted that the need to combine as many as FOUR separate references to allegedly obviate certain claims of the present invention is an indication of their NON-obviousness.

Claims 11, 12, 16, 17 and 21 are dependent on claims 10, 15 and 20 respectively and are allowable for at least the same reasons as claims 10, 15 and 20

Claims 11, 12, 16, 17 and 21 recite a method combing a local error difference with a raw GPS location signal determined by a wireless device to provide a location accurate to within a few meters, and to output during a telephone call a final GPS location. The local error difference is determined external to the wireless device by a fixed GPS receiver.

As discussed above, neither Watters, Harris nor Schipper, either alone or in combination, disclose, teach or suggest a method transmitting an error corrected GPS location signal during a telephone call, much less combing a local error difference with a raw GPS location signal determined by a wireless device to provide a location accurate to within a few meters, and to transmit during a telephone call a final GPS location, as recited by claims 11, 12, 16, 17 and 21.

The Office Action relies on Green to add to the elements of Watters in view of Fisher and Schipper to arrive at the claimed invention of claims 11, 12, 16, 17 and 21. Assuming those elements of Watters, Fisher and Schipper are actually present when combined, as suggested by the Office Action, which they

are not as explained hereinabove. Furthermore, Green does not supply any of the elements missing from Watters, Fisher and Schipper.

With regard to Green, Green is relied on by the Examiner to allegedly teach a system and method for differentially correcting position and a mobile communication network (Office Action, page 10). Moreover, Green is relied on to disclose transmitting highly accurate location information to a called party during an emergency telephone call (Office Action, page 3).

"The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification." *In re Fritch*, 23 USPQ2d 1780, 1783-84 (Fed. Cir. 1992). Green discloses a plurality of reasons why one of ordinary skill in the art would NOT want to modify a mobile telephone to incorporate a GPS receiver, i.e., cost, power consumption, increase in telephone size, and weaknesses of GPS systems in general (see col. 2, line 55-col. 3, line 14). Instead of using GPS, terrestrial based receivers determine the location of a rover (Green, Fig. 4). Thus, Green teaches away from using differentially corrected location of a wireless device based on GPS, much less for transmission during a telephone call, as recited by claims 11, 12, 16, 17 and 21.

Neither Watters, Harris, Schipper nor Green, either alone or in combination, disclose, teach or suggest a method outputting an error corrected GPS location signal during a telephone call, much less combing a local error difference with a raw GPS location signal determined by a wireless device to provide a location accurate to within a few meters, and to output during a telephone call a final GPS location, as recited by claims 11, 12, 16, 17 and 21.

Accordingly, for at least all the above reasons, claims 11, 12, 16, 17 and 21 are patentable over the prior art of record. It is therefore respectfully requested that the various rejections be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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